

that stage. I would also refer to the proceedings of the House and Parliament. When such a privilege motion is raised against any publication in the Press, normally the practice is that a notice has to be issued to the editor of the Press. After the reply is received again the matter is brought before the House and the Member who has given notice has the right to make Statement after looking into the reply of the editor. After the reply again we have the right to make statement. After the receipt of the reply the Member may be permitted again to raise this matter and make statement,

MR. SPEAKER.—Mr. Vodeyaraj has given notice under Rules 177 and 178 of the Rules of Procedure and Conduct of Business on the Editorial publications in 'Samyuktha Karnataka'. He has made a Preliminary submission in the matter. I will read from "PARLIAMENTARY PRACTICE & PROCEDURE" by Mr. M. N. Kaul and Mr. Shakdar.

If a newspaper reports incorrectly the proceedings of the House casting reflection on the House or its Members, the Speaker may, in the first instance, give an opportunity to the Editor of the newspapers to present his case before giving his consent to the raising of the question of privilege in the House".

Therefore, I am sending a copy of this notice for his comments. After receipt of the same, I will place this matter before the House and if necessary I will allow both the Treasury Benches and the Opposition Benches to have a say in the matter and then I will give my ruling whether to give consent or not. Therefore, the matter is ended at this stage.

I had promised that I would give a ruling on the language matter,

### Ruling by the Chair

*re : Question of language to be issued in the House*

MR. SPEAKER.—On 1st July 1978 a question was asked by Hon'ble Member Shri G. L. Ashtekar. After the Minister gave the answer to the question Shri G. L. Ashtekar put a supplementary question in English. Hon'ble Minister for Rural Development started to reply the question in Kannada. Hon'ble Member Shri B. B. Sayanak then urged that the reply should be given in English. He pleaded that the Minister was bound to answer the question in English as they did not understand Kannada. I ruled that the member could not insist

that the Minister should speak in a particular language. Thereafter Shri B. B. Sayanak followed by Sriyuths N. S. Sirdesai, Neelakanta Rao Sirdesai, P. A. Pawase, and G. L. Ashtekar walked into the podium and sat there. Hon'ble Chief Minister stated that the Ministers should not be subjected to such pressure tactics every now and then. The Chief Minister urged that I should give a final ruling in the matter regarding the language to be used in the House. The Chief Minister further pointed out that there was no provision either in Constitution or in the Rules of Procedure that a Minister should answer the questions in any particular language. I promised to examine the matter and give my ruling.

Shri S. R. Bommai, Hon'ble Leader of Opposition pleaded that although there was no compulsion that a Minister should answer in any particular language, since the member Shri G. L. Ashtekar did not understand Kannada, it was desirable that the Ministers answered in English. It was also his plea that the language issue should not be made a question of prestige. He appealed to the members who are sitting in Dharana to resume their seats. On such appeal the members resumed their seats. Hon'ble member Shri Ashtekar then put his supplementary question. The Minister Shri K. Prabhakar commenced his reply in English. Then several members of the ruling party insisted that the Minister should reply only in Kannada. I stated that when the member put his supplementary question in English and when the Minister was prepared to answer it in English the members should not interrupt. The plea of the members who urged that the Minister should reply in Kannada was that they did not understand English. The Minister promised that he would reply both in Kannada and English. After the reply was given by the Minister in Kannada the Minister, however, did not reply in English. The Members of Maharashtra Ekekaran Samithi staged a walkout as a protest against the Minister.

I have given a fuller analysis of the events as they happened on the particular day in question so that the members may appreciate what I propose to say hereafter.

Article 345 of the Constitution deals with the official language or languages of a State. The Article states as follows :—

“Subject to the provisions of articles 346 and 347, the Legislature of a State may, by law, adopt any one or more of the languages to be used for all or any of the official purposes of that State :

Provided that, until the Legislature of the State otherwise provides by law, the English language shall continue to be used for those official purposes within the State for which it was being used immediately before the commencement of this Constitution”.

Under this provision of the Constitution the Karnataka Official Languages Act 1963 has been enacted. According to Section 2 of the Act, the official language of the State of Karnataka is to be Kannada. However, Section 5 of the Act states that 'notwithstanding the expiration of the period of fifteen years from the commencement of the Constitution the English language may as from the twenty-sixth day of January 1965, continue to be used, in addition to Kannada and Hindi for the transaction of business in the Legislature of the State".

From a reading of Section 5 of the Official Language Act, it is clear that English Language may continue to be used in addition to Kannada and Hindi for the transaction of business in the Legislature of the State.

The Constitutional position in so far it concerns Karnataka is that members can use Kannada and English in the Legislature. There is no provision either in the Rules of Procedure or anywhere else that a member or Minister should speak only in a particular language. I will now quote two rulings, one from Lok Sabha and another from our own House wherein the position regarding this issue has been explained.

(A) On the 21st July 1956, during the discussion on the Industrial Disputes (Amendment and Miscellaneous Provisions) Bill in Lok Sabha, the Deputy Minister of Labour, Shri Abid Ali, intervening in the Debate, started his speech in Hindi. Hon'ble member Shri A. K. Gopalan, suggested that it would be better if the Deputy Minister spoke in English as everybody in the House, present at that time, understood English. Thereupon, the Chairman, Pandit Thakur Das Bhargava, observed :

"It is left to the individual Member to choose the language in which he should speak. I cannot force any hon'ble Member to speak in a language which is different from the language he has chosen to speak. So, it is now left to the Deputy Minister to choose the language in which he should speak".

Shri Abid Ali continued to speak in Hindi.

(B) On 21st January 1970, after the hon'ble Member Sri S. R. Bommai moved the Motion of Thanks to the Governor's Address and the hon'ble Member Sri B. Basavaiah seconded it, the hon'ble Member Sri S. Gopala Gowda requested the Chair to ask both the Mover and the Seconder of the motion to speak in Kannada.

The Hon'ble Speaker then observed :

"I really sympathise with the view expressed by the hon. Member Sri Gopala Gowda, but I should plead my inability to express myself in Kannada because my Kannada may not be

understood by a majority of hon. member here. I shall point out the constitutional position. The Official Languages for the purposes of debate, here are Hindi, English and Kannada. It is open to any hon. Member to talk in any language he chooses. I cannot direct any hon. Member to talk in any particular language. However, hon. Member while making their speeches may bear in mind the suggestion of the hon. Member Sri Gopala Gowda”

In my opinion the Constitutional position explained earlier and the two rulings which are quoted above put the matter in its proper perspective. Hon’ble members will kindly see that the Speaker cannot direct a member or a Minister to speak in any particular language. I, however, appreciate that the Hon’ble members of M. E. S. cannot understand Kannada I would like to emphasise at this stage that if any Minister choose to answer questions in English other members should not interrupt the Minister by saying that the Minister should speak only Kannada, because English language can be used in the Legislature just as Kannada can be used. I appeal to the members not to raise this issue again and again and I hope this clarification will put an end to this controversy.

3-30 P.M.

**Budget estimates for 1978-79 -Demands for grants**

*Demand Nos. 19 and 20 (Debate Contd)*

MR. SPEAKER.—Now, Sri Prabhakar Telkar may continue his speech.

† SRI PRABHAKAR R. TELKAR.—I had also submitted that the Government should open timber depots as well as supply of charcoal and fire-wood depots in Hyderabad-Karnataka areas particularly in Gulbarga, Raichur and Bidar Districts where this wood is being sold at a very higher rate. There are several Burads and Medars in our area and they require raw materials for the manufacture of baskets etc., There are no Government Depots for supplying these bamboos and other raw materials that are available from the forests to these people. In the Annual Report, it has been stated that in Gulbarga, there is also a Government Depot for supplying these bamboos to Medars and Barads.

[MR. CHAIRMAN (SRI H. T. KRISHNAPPA) in the chair]

The Hon. Minister should see that bamboos and other raw materials required for Medars and Burads are provided to them. There are bona-fide purchasers of timber from Government Depots for housing